

the ranchers living in this vicinity, the County desires to open this crossing as a public crossing and improve the county road on both sides leading up to it. The Southern Pacific Company offered no objection to the installation of the crossing, providing that the County pay for the usual grading, cattleguards, wing fences and etc.

A field inspection shows that a large rectangular grove of eucalyptus trees has been planted on the southwest corner of the crossing, adjacent to the railroad company's right of way. There are also several willow trees and some poplar trees on the southeast corner of the proposed crossing. Unless a portion of these trees are removed so as to open up the view on the southerly side of the crossing, a dangerous situation will occur. The engineering department of the Commission recommends that either these trees be removed or an automatic flagman be placed at the crossing at the expense of the applicant.

I recommend the following for of order:

O R D E R

COUNTY OF FRESNO having applied to the Commission for permission to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company on the North line of Section 28, Township 14 South, Range 18 East, Mt. Diablo Base and Meridian, near the Town of Kerman, County of Tulare, State of California, as shown by the map attached to the application; a public hearing having been held and the Commission having been fully apprised in the premises;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the COUNTY OF FRESNO to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company on the North line of Section 28, Township 14 South, Range 18 East, Mt. Diablo Base and Meridian, near the Town of Kerman, County of Fresno, State of California, as shown by the map attached to the application;

said crossing to be constructed subject to the following conditions, viz.:

(1) The entire expense of constructing the crossing applied for, with the necessary cattleguards, wing fences, etc., shall be borne by the applicant. The expense of the maintenance of the crossing thereafter in good and first-class condition, for the safe and convenient use of the public, shall be borne by the applicant, except that portion between the rails and two (2) feet outside thereof, which shall be borne by the Southern Pacific Company.

(2) Said crossing shall be constructed of a width not less than twenty-four (24) feet, with grades of approach not to exceed four (4) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) A portion of the grove of eucalyptus trees on the southwest corner and the poplar and willow trees on the southeast corner of the crossing shall be removed by the county so as to open up the view; or else, an automatic flagman shall be installed at the crossing at the expense of the applicant. If it shall be necessary for said automatic flagman to be installed, its maintenance thereafter shall be borne by the Southern Pacific Company.

(4) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 23rd day of
May, 1919.

Edwin O. Redgate

John B. Brundage

James W. Martin

Commissioners.